



ATTORNEY'S DOCKET NO.: 2004229-0031

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM FOR AXIAL PATTERN ANALYSIS OF MULTICELLULAR ORGANISMS

the specification of which (I authorize Choate, Hall & Stewart to check one of the following three choices, and fill in the blanks, if applicable):

 X is attached hereto;

 was filed on as Application Serial No. and amended on (if applicable); or

 was filed as PCT international application No. , on and was amended under PCT Article 19 on (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year/Filed)	<u> </u> Yes <u> </u> No
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<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year/Filed)	<u> </u> Yes <u> </u> No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/465,215</u> (Application Serial No.)	<u>December 15, 1999</u> (filing date)	<u>Pending</u> (status-patented, pending, abandoned)
<u>09/932,413</u> (Application Serial No.)	<u>August 17, 2001</u> (filing date)	<u>Pending</u> (status-patented, pending, abandoned)

PCT Applications designating the United States:

<u>(PCT Appl. No.)</u>	<u>(U.S.S.N.)</u>	<u>(status-patented, pending, abandoned)</u>
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

<u>60/112,280</u> (Application Serial No.)	<u>December 15, 1998</u> (filing date)
<u>60/226,701</u> (Application Serial No.)	<u>August 18, 2000</u> (filing date)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of third inventor W. Peter Hansen

Inventor's signature _____ Date: _____

Residence 121 Top of Deane Hill Road, Canaan, NY 12029 US

Citizenship US

Post Office Address P. O. Box 315, Canaan, NY 12029

Full name of first inventor Anthony A. Ferrante

Inventor's signature _____ Date: _____

Residence 15 Westlund Rd., Belmont, MA 02478 US

Citizenship US

Post Office Address Same

Full name of second inventor Russel J. Gershman

Inventor's signature _____ Date: _____

Residence 19 Ward Street, Somerville, MA 02143 US

Citizenship US

Post Office Address Same

Full name of fourth inventor Petra B. Krauledat

Inventor's signature _____ Date: _____

Residence 121 Top of Deane Hill Road, Canaan, NY 12029 US

Citizenship Germany

Post Office Address _____

Full name of fifth inventor Donald F. Perrault, Jr.

Inventor's signature _____ Date: _____

Residence 25 Bennett Street, Brighton, MA 02135 US

Citizenship US

Post Office Address Same

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ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **W. Peter Hansen** of Canaan, NY; **Anthony A. Ferrante** of Medford, MA; **Russel J. Gershman** of Somerville, MA; **Petra B. Krauledat** of Canaan, NY; and **Donald F. Perrault, Jr.** of Brighton, MA, hereby

Sell, assign, and transfer to **Union Biometrica, Inc.**, having a place of business at **35 Medford Street, Suite 213, Somerville, MA 02143**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, their entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled "**System for Axial Pattern Analysis of Multicellular Organisms**" filed **February 15, 2002**, and given serial number _____ in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions, including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to them relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by them, and that full right to convey the same as herein expressed is possessed by them.

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 2002.

W. Peter Hansen

STATE OF _____
SS.

COUNTY OF _____

Before me this _____ day of _____, 2002, personally appeared
W. Peter Hansen known to me to be the person whose name appears above subscribed to the
foregoing Assignment and acknowledged that he executed the same as his free act and deed for
the purposes therein contained.

Notary Public

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 2002.

Anthony A. Ferrante

STATE OF _____
SS.

COUNTY OF _____

Before me this _____ day of _____, 2002, personally appeared
Anthony A. Ferrante known to me to be the person whose name appears above subscribed to
the foregoing Assignment and acknowledged that he executed the same as his free act and deed
for the purposes therein contained.

Notary Public

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 2002.

Russel J. Gershman

STATE OF _____
SS.
COUNTY OF _____

Before me this _____ day of _____, 2002, personally appeared
Russel J. Gershman known to me to be the person whose name appears above subscribed to the
foregoing Assignment and acknowledged that he executed the same as his free act and deed for
the purposes therein contained.

Notary Public

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 2002.

Petra B. Krauledat

STATE OF _____
SS.
COUNTY OF _____

Before me this _____ day of _____, 2002, personally appeared
Petra B. Krauledat known to me to be the person whose name appears above subscribed to the
foregoing Assignment and acknowledged that he executed the same as his free act and deed for
the purposes therein contained.

Notary Public

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 2002.

Donald F. Perrault, Jr.

STATE OF _____
SS.

COUNTY OF _____

Before me this _____ day of _____, 2002, personally appeared
Donald F. Perrault, Jr. known to me to be the person whose name appears above subscribed to
the foregoing Assignment and acknowledged that he executed the same as his free act and deed
for the purposes therein contained.

Notary Public

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2004229-0031



ATTORNEY'S DOCKET NO.: 2004229-0031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hansen, *et al.*
Serial No.: NYA
Filed: February 15, 2002
For: SYSTEM FOR AXIAL PATTERN ANALYSIS OF MULTICELLULAR
ORGANISMS

Examiner: NYA
Art Unit: NYA

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

WRITTEN ASSERTION OF SMALL ENTITY STATUS
UNDER 37 CFR §1.27(a)(2)
SMALL BUSINESS CONCERN

The undersigned hereby asserts entitlement to small entity status as a small business concern under 37 CFR §1.27(a)(2) on behalf of Union Biometrica, Inc..

This assertion is made on the ground that Union Biometrica, Inc. is a concern

(a) whose number of employees, including affiliates, does not exceed 500 persons; and

(b) that *has not* assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the above-referenced patent application to any party who does not qualify for small entity status either as a person, a small business concern, or a nonprofit organization under 37 CFR §1.27, as set forth in 13 CFR §121.802.

Respectfully Submitted,

Dated:

Name:

Title:

Date:

CHOATE, HALL & STEWART
53 State Street
Exchange Place
Boston, MA 02109
Phone: (617) 248-5000
Fax: (617) 248-4000
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ATTORNEY'S DOCKET NUMBER: 2004229-0031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hansen, *et al.* Examiner: NYA
Serial Number: NYA Art Unit: NYA
Filed Date: February 15, 2002
Title: SYSTEM FOR AXIAL PATTERN ANALYSIS OF MULTICELLULAR ORGANISMS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

APPOINTMENT OF ATTORNEY

Sam Pasternack, Registration No. 29,576; Brenda Herschbach Jarrell, Registration No. 39,223; Kevin M. Tormey, Registration No. 41,351; Karoline K. M. Shair, Registration No. 44,332; Elizabeth Nugent, Registration No. 43,839, Valarie B. Rosen, Registration No. 45,698; Anne Marie Dinius, Registration No. 45,592; C. Hunter Baker, Registration No. 46,533; Monica R. Gerber, Registration No. 46,724; Elijah Cocks, Registration No. 47,499; John Hamilton, Registration No. 48,946, and Howard H. Bayless, P-51,245 as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Brenda Herschbach Jarrell, Ph.D., Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

Name:
Title:
On behalf of Union Biometrica, Inc.
Dated: _____